THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 3348 OF 2006

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Dated 23rd February, 2006

Between:

L.Ramu

… Petitioner

And

The Depot Manager, APSRTC,

Piduguralla Depot, Guntur District

And another.

… Respondents.

ORAL ORDER:

The petitioner was appointed as Casual Driver in the Andhra Pradesh State Road Transport Corporation. Earlier an order was passed discontinuing the services of the petitioner without conducting any enquiry on an allegation that he drove the bus rashly and negligently. As against the same, he approached this court and filed writ petition No.503 of 2005 and the said writ petition was allowed on the ground that no

findings were recorded in support of the conclusions. However, in the very same order, this court while setting aside the order dated 31.12.2004 observed that the said order will not preclude the respondents from taking steps for deletion of his name from the approved list of Casual Drivers after following due procedure and substance of law.

It is stated by the learned counsel for the petitioner that subsequently, orders dated 2.12.2005 were passed placing the petitioner under put off duty. It is the case of the petitioner that inasmuch as the earlier writ petition filed by the petitioner was allowed with costs of Rs.1000/-, the respondents are acting in a prejudicial manner and are not allowing the petitioner to attend to duties.

In the order passed by this court earlier in Writ Petition No.503 of 2005 itself, it is left open to the respondents to pass appropriate orders by following the procedure contemplated under law. When an allegation is made that the petitioner was driving the bus rashly and negligently, it is always open for the respondents to conduct enquiry. As the petitioner was not a regular employee, orders dated 2.12.2005 were passed placing the petitioner under put off duty and allowing 15 days wages for every month during the said period pending enquiry. In view of the orders dated 2.12.2005, petitioner cannot be permitted to attend to duties.

In the above facts and circumstances, the only direction which can be issued in this case is to direct the respondents to take a final decision in the matter consequent to orders passed on 2.12.2005 within a period of six weeks from the date of the receipt of a copy of this order and communicate the same to the petitioner.

With the above direction, the writ petition is disposed of. No costs.

2006. **(R.SUBHASH REDDY, J)**

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